



IT IS ORDERED

Date Entered on Docket: January 11, 2019

The Honorable David T. Thuma
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

Marissa L. Lane
Cory L. Lane,

Debtor,

Case No.: 15-11181-TA13

WILMINGTON SAVINGS FUND SOCIETY,
FSB, D/B/A CHRISTIANA TRUST AS
OWNER TRUSTEE OF THE RESIDENTIAL
CREDIT OPPORTUNITIES TRUST V,

Movant,

v.

MARISSA L. LANE
CORY L. LANE,

Debtor.

**STIPULATED ORDER GRANTING WILMINGTON SAVINGS' MOTION FOR
RELIEF FROM THE AUTOMATIC STAY AND
FOR THE ABANDONMENT OF PROPERTY**

THIS MATTER comes before the Court on the Motion for Relief from the Automatic Stay and for the Abandonment of Property by Wilmington Savings Fund Society, FSB d/b/a

Christiana Trust as Owner Trustee of the Residential Credit Opportunities Trust V, filed September 13, 2018 (Doc. 100). Debtors Marissa Lane and Cory Lane have withdrawn their opposition to the stay relief motion. *See* Joint Notice of Non-Opposition to Motion for Relief from Automatic Stay and Withdrawal of Response in Opposition, filed December 31, 2018 (Doc. 113). No other objection has been submitted to the stay relief motion. The Court has considered the motion, and being otherwise advised on the premise and noting the lack of opposition to the motion, finds that cause exists to modify the automatic stay.

WHEREFORE, the Court orders that:

A. The stay imposed under 11 U.S.C. § 362 is modified in favor of Wilmington Savings Fund Society, FSB d/b/a Christiana Trust as Owner Trustee of the Residential Credit Opportunities Trust V (“Wilmington Savings”) to permit it to pursue all rights and remedies with respect to the property located at 320 Peaceful Meadows Drive NE, Rio Rancho, NM 87144 (“the Property”), including prosecution of a foreclosure action.

B. The Property is deemed abandoned pursuant to 11 U.S.C. § 554.

C. Wilmington Savings is permitted to file a foreclosure action against the Property so that it may pursue relief allowable under state law.

D. Wilmington Savings may name Debtors as defendants in the foreclosure action, but may not obtain a deficiency judgment against them or collect any deficiency without further order of the Court.

E. The fourteen-day stay of this Order provided by Fed. R. Bankr. P. 4001(a)(3) is not waived.

END OF ORDER

Submitted by:

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By /s/ Ron Holmes (approved via email December 27, 2018)
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Approved by:

By /s/ Yvette J. Gonzales (approved via email January 7, 2019)
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